

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37164

STATE OF IDAHO,	)	2010 Unpublished Opinion No. 542
	)	
Plaintiff-Respondent,	)	Filed: July 7, 2010
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
JOSE LUIS DOMINGUEZ,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

---

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Minidoka County. Hon. Michael R. Crabtree, District Judge.

Judgment of conviction and unified sentence of five years, with a minimum period of confinement of three years, for possession of a controlled substance, affirmed.

Molly J. Huskey, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

---

Before LANSING, Chief Judge; GUTIERREZ, Judge;  
and GRATTON, Judge

---

PER CURIAM

Jose Luis Dominguez pled guilty to possession of a controlled substance. I.C. § 37-2732(c)(1). In exchange for his guilty plea, additional charges including an allegation that Dominguez was a persistent violator, were dismissed. The district court sentenced Dominguez to a unified term of five years, with a minimum period of confinement of three years, to run concurrent with other unrelated sentences. Thereafter, Dominguez filed an I.C.R. 35 motion for reduction of his sentence, which was denied. Dominguez appeals.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and

need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Dominguez's judgment of conviction and sentence are affirmed.